Committee #2
Final 6-1
PS

ORDINANCE 91 - 21
To Amend the Zoning Maps to Designate PUD
and to Grant Outline Plan Approval
Re: Property located at 3710 E. Tenth Street
(Don Mitchell)

WHEREAS, the Common Council passed a Zoning Ordinance and adopted new incorporated zoning maps on June 7, 1978 which are now incorporated in Title 20 of the Bloomington Municipal Code; and

WHEREAS, the Plan Commission has considered this case, RS/PUD-14-91, and recommended that the petitioner, Don Mitchell, be granted an amendment to the Bloomington zoning maps and outline plan approval and PUD designation and request that the Common Council consider the petition for outline plan approval and PUD designation on certain property.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Through the authority of IC 36-7-4 and pursuant to Chapter 20.13 of the Bloomington Municipal Code, that Planned Unit Designation be granted for property located in the 3700 block of East Tenth Street, and more particularly described as follows:

A part of the Northeast quarter and a part of the Southeast quarter of Section Thirty-five (35), Township Nine (9) North, Range One (1) West, Monroe County, Indiana, described as follows, to-wit: Beginning at a point that is One Thousand Sixty-eight and Seventy-five Hundredths (1068.75) feet South and Three Hundred Seventy-seven and Twenty-six Hundredths (377.26) feet East of the Northwest corner of the Southeast quarter of said Section Thirty-five (35), thence running North a distance of Eleven Hundred Ten (1110) feet and to the center line of State Highway Number 45; thence running North Seventy-five (75) degrees East over and along the center line of State Highway Number 45 for a distance of One Hundred (100) feet; thence running North Seventy-six (76) degrees Thirty (30) minutes East and continuing over and along the center line of said State Highway Number 45 a distance of One Hundred (100) feet; thence running North Seventy-eight (78) degrees East over and along the center line of State Highway Number 45 for a distance of Forty (40) feet; thence running South One (1) degree Thirty (30) minutes West for a distance of Twelve Hundred Twelve (1212) feet and to the North right of way line of the I.C.R.R.; thence running North Seventy-eight (78) degrees Thirty (30) minutes West over and along the said North right of way line of the said I.C.R.R. for a distance of Two Hundred Forty (240) feet and to the place of beginning. Subject to all road rights of way of record.

SECTION II. Through the authority of IC 36-7-4 and pursuant to Chapter 20.13 of the Bloomington Municipal Code, that an outline plan be approved for the property described above and the property described below:

A part of the northeast quarter and a part of the southeast quarter of section 35, township 9 north, range 1 west, Monroe County, Indiana, described as follows: Beginning at the northwest corner of said south east quarter, said corner being on the centerline of State Route No. 45; thence on said centerline north 89 degrees 55 minutes 49 seconds east 171.20 feet;

thence continuing on said centerline 149.32 feet on the arc of a curve to the left, said curve having a chord bearing and distance north 83 degrees 15 minutes 38 seconds east 148.98 feet and a radius of 641.34 feet; thence continuing on said centerline north 76 degrees 35 minutes 25 seconds east 56.64 feet; thence south 1105.08 feet to a point on the northerly right-of-way of the Illinois Central Railroad; thence on said right-of-way north 76 degrees 25 minutes west 385.00 feet; thence north 983.85 feet to the point of beginning, containing 8.892 acres, more or less.

Containing in all 15.5 acres, more or less.

SECTION III. The Outline Plan, as recommended by the Plan Commission, shall be attached hereto and made a part hereof.

SECTION IV. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 3rd day of April, 1991.

John R Fernandez
JOHN FERNANDEZ, President
Bloomington Common Council

ATTEST:

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 4th day of April, 1991.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 9th day of April, 1991.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance grants PUD designation to 6.5 acres of RS land which will be added to an existing 9-acre PUD. The total 15.5-acre PUD will be developed with 74 attached units with an overall density of 4.9 units/acre.

SIGNED COPIES: PLANNING, PETITIONER

March 8, 1991

To: Common Council

From: Planning Dept.

Re: RS/PUD-14-91 (Don Mitchell)

The Plan Commission approved PUD designation for 6.5 acres which will be added to a previously approved 9-acre PUD and approved an outline plan for the total 15.5 acres at the March 4, 1991 Plan Commission meeting. The PUD will consist of 74 attached units and was approved with the following conditions:

1. The existing white house be used as a common center for the residents of the complex;

2. Architecture and landscape review be approved by the Commission at development plan stage;

3. The Environmental Commission review the potential effects of this project on Lake Griffy at development plan stage;

4. The Engineering Dept. review and approve siltation and erosion controls as specified in the new proposed erosion and siltation control ordinance before development commences;

5. Entrance improvements on John Hinkle Place and 10th Street will be reviewed at development plan stage. Decisions on the level of improvement will be made at that time.

6. R.O.W. dedication of 40 ft. from the centerline of 10th St.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 91-21 is a true and complete copy of Plan Commission Case Number RS/PUD-14-91 which was given a recomendation of approval by a vote of 7 Ayes, 3 Nays, and ____ Abstentions by the Bloomington City Plan Commission at a public hearing held on March 4, 1991.

Date: March 8, 1991,

Timothy A. Mueller
Tim Mueller, Secretary
Plan Commission

Received by the Common Council Office this 11 day of March, 1991,

Patricia Williams
Patricia Williams, City Clerk

Appropriation Ordinance #_____ Fiscal Impact Statement Ordinance #_____ Resolution#_____

Type of Legislation:

Appropriation	____	End of Program	____	Penal Ordinance	____
Budget Transfer	____	New Program	____	Grant Approval	____
Salary Change	____	Bonding	____	Administrative Change	____
Zoning Change	____	Investments	____	Short-Term Borrowing	____
New Fees	____	Annexation	____	Other	____

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure	____	Emergency	____
Unforseen Need	____	Other	____

Funds Affected by Request:

Fund(s) Affected		
Fund Balance as of January 1	$	$
Revenue to Date		
Revenue Expected for Rest of year		
Appropriations to Date		
Unappropriated Balance		
Effect of Proposed Legislation(+/-)		
Projected Balance	$	$

Signature of Controller_____

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues? Yes____ No X

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary)